

Town of Conklin Zoning Board of Appeals – May 7, 2019

MEMBERS PRESENT: William Northwood, Chairman; Harold Cole, Elizabeth Einstein
Norm Pritchard, Art Boyle

ABSENT: none

ATTORNEY: Nate Vanwhy

ALSO PRESENT: Mary Plonski, Secretary
Willie Platt, Town Board Liaison

VISITORS: Michael Thomas
Jared Pencek

7:00 P.M. Chairman Northwood called the meeting to order

Chairman Northwood reviewed emergency procedures to all that were present. A record of tonight's meeting will be available in the Town Clerks office in approximately 30 days.

Agenda Item #1 1362 Millburn Dr. Conklin, NY 13748
Tax Map No: 210.02-2-24

Request for an Area Variance.
Setback for 18x21 Metal Garage

Chairman Northwood read into record the following correspondence:

1. Application (Attachment A)
2. Letter of Intent (Attachment B)
3. Broome County 239 comments dated April 2, 2019 (Attachment C)

Brady Begeal noted that this was a Type II Action and a Negative Declaration and therefore did not need the environmental form to be reviewed.

Chairman Northwood asked Mr. Thomas to state why he was coming before the Zoning Board tonight.

Mr. Thomas stated that he wished to erect a garage on his property to keep the rain and tree branches off his cars. The property is small and the septic is in the middle of the property along with a slope in the back that has a runoff ditch which makes it hard to put the garage any place else on the property.

Art Boyle asked for clarification on the setbacks for the garage. The original drawing was a larger garage 20'x20' which would call for a corner to be right on the boundary line. The revised drawing is an 18' x 21' garage and would be 2 feet from the boundary line.

Chairman Northwood explained that it would be an 8' variance being requested tonight. Chairman Northwood asked if it was the back corner of the garage that would be closest to the line. Mr. Thomas replied yes. The property lines are set at an angle which makes the whole lot and house at an angle.

Art Boyle questioned why he wouldn't be able to straighten out the garage and have it so you could drive right into it from the existing driveway. Mr. Thomas wanted it to match with the house and he felt it would be an eye

sore to have it straight when the house is not. It also would not work with the existing driveway. It would be more expense to change the driveway.

Hal Cole asked if there were any comments back from the Public Hearing notices sent out. No comments.

Willie Platt asked what type of flooring he was putting in. Mr. Thomas said he would like concrete.

Hale asked if there would be any kind of drainage in the garage. Mr. Thomas didn't plan on any.

Art Boyle asked which way the roof will be slanted. The slope would not be towards his neighbor's property.

Art also asked what the difficulty would be to not just set the garage back the 10 feet. Mr. Thomas replied that it's not impossible, but it is not desirable to do it. It will be more expensive changing his driveway and it would bring it closer to the water issues.

Liz Einstein asked if he had ever been flooded. He replied he had been badly flooded 3 times. Even during flash floods his yard gets filled with water. Liz felt it made sense to keep it away from any flood waters.

Norm Pritchard asked the applicant if he moved the garage forward would it be too close to the flood area. Mr. Thomas said yes the closer he had to move it, then the more chance of flooding.

Hal Cole asked if he would be using the property on either side of the garage for parking or storage. Mr. Thomas said he would possibly be parking a car on the side. Moving the garage in closer would prevent him from driving on either side of the garage.

Chairman Northwood asked for a motion.

Liz Einstein made the following motion: I move that we grant the application of Michael Thomas for an area variance for the property located at 1362 Milburn Dr. Conklin NY, tax map no. 210.02-2-24. To allow for an 8' Variance to construct an accessory building. Because the benefit to the applicant, when considered against the detriment to the health, safety, and welfare of the community, weighs in favor of the applicant, based on the following findings of fact: An undesirable change will not be produced in the character of the neighborhood or to the nearby properties because the garage will not disrupt the neighborhood. There are a mixture of barns and garages that are close to property lines. The benefit sought by the applicant cannot be achieved by some feasible method as follows: The landscape, the slope of the land and the storm sewers that are on the property. The proposed variance will not have an adverse effect on the physical or environmental conditions in the neighborhood. The alleged difficulty was not self-created because the change in weather over the years has created flooding and flash flooding in that area.

The motion includes the following conditions:

1. Per Town Code the garage height cannot exceed 18 feet.
2. That the project is completed within one year (May 7, 2020).

Liz Einstein stated that this was a Type II Action, therefore no SEQR is required.

Hal Cole second motion	Einstein	YES	Cole	YES
	Pritchard	YES	Boyle	NO
			Northwood	YES

Chairman Northwood asked for a motion to accept the minutes of our last meeting.

Art Boyle motioned to approve the minutes of the April 2, 2019 meeting and **Norm Pritchard** second the motion. All present board members approved.

Chairman Northwood asked for a motion to adjourn the meeting.

Art Boyle motioned to adjourn the meeting. All present board members approved.

Next Zoning Board Meeting will be held on Tuesday, June 4, 2019.

Northwood closed the meeting at 7:45 p.m.

Respectfully Submitted,

Mary Plonski – Zoning Board Secretary